

**REMARKS**

This amendment is submitted in response to the Examiner's Action dated March 23, 2005. The discussion/arguments provided below reference newly-entered Claims 11-19.

**REJECTIONS UNDER 35 U.S.C. § 101**

In the present Office Action, Claims 3-5 are rejected under 35 U.S.C. § 101 as being unpatentable because the Examiner asserts that the claimed invention is directed to non-statutory subject matter. Since Applicants have cancelled Claims 1-10 and entered Claims 11-19, Examiner's rejection under § 101 is now rendered moot.

**REJECTIONS UNDER 35 U.S.C. § 103**

In the present Office Action, Claims 1-4 and 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Houlsdword* (U.S. Patent No. 6,304,949) in view of *Holzle* (U.S. Patent No. 6,209,066). After careful consideration of Examiner's remarks, Applicants have cancelled Claims 1-10 and entered Claims 11-19. Examiner's rejection under § 103(a) is now rendered moot. However, if Examiner wishes to apply *Houlsdword* and *Holzle* to newly-entered Claims 11-19, the combination of *Houlsdword* and *Holzle* does not teach or suggest the presently claimed limitations.

For example, the combination of *Houlsdword* and *Holzle* does not teach or suggest:

*a locking manager that performs a locking process on the at least one object only when the thread locality flag is not set and a thread out of the plurality of threads that is not the specific thread requests access to the at least one object*

*Houlsdworth* discloses a system and method of removing data objects from memory if the data objects have "no extant pointers thereto from any source being identified or deleted" (abstract). Also, *Holzle* discloses a system and method of allocating blocks within memory to threads of certain characteristics (e.g., speed of allocation, etc.) so that data stored within those allocated blocks may be accessed without first locking out the data stored in the blocks from access from other threads (col. 7, lines 1-20). The combination of *Houlsdworth* and *Holzle* teaches or suggests a

system and method of accessing data objects stored in blocks allocated for access by particular threads and if those data objects do not have extant pointers thereto from any sources being identified or deleted, the data object is removed from memory. In contrast to the prior art, the present invention claims the limitations of performing a locking process on a data object stored in memory only when two conditions exist: (1) the thread locality flag is not set and (2) the thread seeking access to the object is not the specific thread that has been the only thread to directly access the object. Therefore, the combination of *Houlsdworth* and *Holzle* does not teach or suggest the present invention as claimed in Claim 11.

Applicants believe that the arguments regarding independent Claim 11 also apply to independent Claims 14 and 17. Therefore, pending independent Claims 11, 14, and 17, and all dependent claims are thus patentable in view of the cited references.

#### **REJECTIONS UNDER 35 U.S.C. § 112**

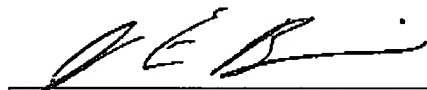
In the present Office Action, Claim 7 is rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since Applicants have cancelled Claims 1-10 and entered Claims 11-19, Examiner's rejection under § 112 is now rendered moot.

**CONCLUSION**

As the cited prior art does not teach or suggest all the presently claimed limitations, Applicants now respectfully request a Notice of Allowance for all pending claims.

Applicants further respectfully request the Examiner contact the undersigned attorney of record at 512.343.6116 if such would further or expedite the prosecution of the present Application.

Respectfully submitted,



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